



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

CONSTRUCTION CODE COMMISSION

Ottawa Building, Upper Level Conference Room #4
611 West Ottawa Street
Lansing, Michigan 48933

APPROVED 07/12/2017

MINUTES

April 12, 2017

9:30 a.m.

MEMBERS PRESENT

Mr. William Benoit, Jr., Chairperson
Mr. Thomas Baldwin
Mr. Frederick Butters
Mr. James Cripps
Mr. Thomas Erdman
Mr. Adam Krouse
Mr. Kenneth Misiewicz
Mr. Roger Papineau
Mr. Matthew Reno
Mr. Donald Staley
Dr. Joseph Sucher

MEMBERS ABSENT

Mr. Anthony D'Ascenzo
Mr. Michael Boss
Mr. William Duffield
Mr. Daryl Gallant
Mr. Greg Pollock
Mr. Matt Zurbrick

DEPARTMENT PERSONNEL ATTENDING

Mr. Keith Lambert, Director, BCC
Ms. Alesha Gensler, Deputy Director, BCC
Ms. LeeAnn Allaire, Manager, Administrative Services Division, BCC
Ms. Dianne Barmes, Manager, Licensing & Complaints Division, BCC
Mr. Joseph Madziar, Chief, Plumbing Division, BCC
Mr. Dean Austin, Chief, Electrical Division, BCC
Mr. Kevin Kalakay, Chief, Mechanical Division, BCC
Mr. Jonathon Paradine, Assistant Chief, Mechanical Division, BCC
Ms. Tracie Pack, Department Analyst, Administrative Services Division, BCC
Ms. Sara Leiby, Secretary, Administrative Services Division, BCC

OTHERS IN ATTENDANCE

Mr. Ronald Bailey, Village of Onsted
Mr. Ronald Bellaire, Volinia Township
Ms. Cindy Carver, Carver Construction Company
Mr. Bill Denner, Assistant Attorney General
Mr. John Dobberteen, St. Joseph County
Mr. Tod Fackler, Tuscola Township

Mr. Ray Hausbeck, Saginaw Township
Mr. William Hordyk, City of Grand Rapids
Mr. Jeff Hugo, Tuscola Township
Ms. Wendy Jean-Buhrer, City of Grand Blanc
Mr. Phillip Kerns, Tuscola Township
Mr. Doug Kuhlman, St. Joseph and Cass Counties
Mr. Glenn Lindsey, SAFEbuilt, Village of Burlington
Mr. Bruce Nickel, Village of Onsted
Mr. Ron Ritchey, National Fire Sprinkler Association
Ms. Yvette Robinson, City of Highland Park
Mr. Corey Roblee, International Code Council
Mr. Randy Schmeling, St. Joseph County
Mr. Lee Schwartz, Home Builders Association of Michigan
Mr. Ted Szczepanski, City of Grand Blanc
Mr. Michael Setzer, Tuscola Township
Ms. Bethany Smith, City of Grand Blanc
Mr. Rob Thall, Tuscola Township
Mr. Jack Williams, Building Official, City of Highland Park
Mr. Pete Wood, Rooter MD

1. CALL TO ORDER AND DETERMINATION OF QUORUM

Chairperson Benoit called the meeting to order at 9:30 a.m. A quorum was present at that time.

2. APPROVAL OF AGENDA

A **MOTION** was made by Commissioner Misiewicz and **SECONDED** by Commissioner Baldwin to approve the agenda. **MOTION CARRIED.**

3. APPROVAL OF MINUTES

A **MOTION** was made by Commissioner Cripps and **SECONDED** by Commissioner Sucher to approve the minutes for the January 11, 2017 meeting. **MOTION CARRIED.**

4. ADMINISTRATION & ENFORCEMENT COMPLAINTS

A. City of Ann Arbor

The City of Ann Arbor notification of complaint requesting compliance regarding the requirements for construction code appeals and the corresponding response were presented to the Commission.

B. City of Portage

The City of Portage notification of complaint requesting compliance regarding the certification requirement for fire alarm installers and the corresponding response were presented to the Commission.

C. City of Saint Clair Shores

The City of Saint Clair Shores notification of complaint requesting compliance regarding registration fees for licensed mechanical contractors/registering mechanical contractors as electrical contractors without being properly licensed was presented to the Commission. Mr. Lambert informed the Commission that the City of Saint Clair Shores indicated the fee has been corrected to comply with the law and follow up documentation will be requested.

D. City of Troy

The City of Troy notification of complaint requesting compliance regarding the city adopting amendments to the 2012 International Fire Code (IFC) that directly conflict with the 2012 Michigan Building Code (MBC) and the corresponding response were presented to the Commission.

Chairperson Benoit requested clarification on whether the fire code can only be used in part when a specific section is referenced in the building code.

Mr. Lambert advised that the Bureau is currently requesting advice from counsel regarding reference standards and codes and whether the entire code is adopted if referenced. Per Chairperson Benoit's request, the Bureau will follow-up with the City of Troy regarding non-compliance of the amendment to Section 907.6.5.3 of the 2012 IFC.

5. RECEIPT OF APPLICATIONS TO ADMINISTER AND ENFORCE, MCL 125.1508b

The Commission accepts receipt of the following applications to administer and enforce:

- A. Village of Emmett, Building, Electrical, Mechanical and Plumbing**
- B. City of Grand Blanc, Electrical, Mechanical and Plumbing**
- C. Moorland Township, Mechanical**
- D. Village of White Pigeon, Building, Electrical, Mechanical and Plumbing**
- E. Village of Marcellus, Building, Electrical, Mechanical and Plumbing**
- F. Village of Centreville, Mechanical and Plumbing**

6. PETITION FOR APPROVAL/CERTIFICATE OF ACCEPTABILITY, MCL 125.1521

A. Huber Engineered Woods, LLC, ZIP System Roof and Wall Sheathing

Mr. Ken Hix's petition application for a certificate of acceptability from Huber Engineered Woods, LLC for ZIP System Roof and Wall Sheathing was presented to the Commission. Mr. Ken Hix was not present for the review.

Mr. Bill Denner, Assistant Attorney General, advised that there is language in the statute that may be construed as conflicting regarding the matter.

Following discussion, a **MOTION** was made by Commissioner Staley and **SECONDED** by Commissioner Erdman to postpone consideration of petition applications for product approval, such as this, to a future date based on the recommendation forthcoming from the Attorney General's Office. **MOTION CARRIED.**

7. UNFINISHED BUSINESS

A. Administration and Enforcement Complaint Responses

Mr. Lambert provided the City of Trenton's response to notification of complaint and notified the Commission that the notifications sent to the below municipalities did not solicit a response. The language in the notification will be corrected to request response by specified deadline.

- i. City of Belleville – No Response**
- ii. Village of Carleton – No Response**
- iii. City of Inkster – No Response**
- iv. City of Trenton**
- v. City of Dearborn – No Response**

B. Review of Applications to Administer and Enforce, MCL 125.1508b

i. Village of Onsted, Mechanical and Plumbing

Mr. Bruce Nickel, Building Official, and Mr. Ronald Bailey, Village President, presented the Village of Onsted's Application to Administer and Enforce to the Commission.

Following discussion, a **MOTION** was made by Commissioner Baldwin and **SECONDED** by Commissioner Misiewicz to approve the Village of Onsted's Application to Administer and Enforce effective May 1, 2017. **MOTION CARRIED.**

ii. City of Highland Park, Building, Electrical, Mechanical and Plumbing

Mr. Jack Williams, Building Official, and Ms. Yvette Robinson, Department of Community and Economic Development Director, presented the City of Highland Park's Application to Administer and Enforce to the Commission.

Following discussion, a **MOTION** was made by Commissioner Baldwin and **SECONDED** by Commissioner Misiewicz to postpone consideration of the City of Highland Park's Application to Administer and Enforce to allow time for the applicant to provide additional documentation reflecting the proposed program budget, a construction board of appeals, and applications are brought up to statutory requirements. **MOTION CARRIED.**

iii. Fawn River Township, Mechanical

Mr. Doug Kuhlman, Zoning Administrator and Code Compliance Officer, Mr. Randy Schmeling, Building Official, Mr. John Dobberteen, Plumbing Official, and Mr. Ronald Bellaire, Electrical Official, presented Fawn River Township's Application to Administer and Enforce to the Commission.

Following discussion, a **MOTION** was made by Commissioner Baldwin and **SECONDED** by Commissioner Erdman to approve Fawn River Township's Application to Administer and Enforce effective May 1, 2017. **MOTION CARRIED.**

iv. Village of Colon, Plumbing

Mr. Doug Kuhlman, Zoning Administrator and Code Compliance Officer, Mr. Randy Schmeling, Building Official, Mr. John Dobberteen, Plumbing Official, and Mr. Ronald Bellaire, Electrical Official, presented the Village of Colon's Application to Administer and Enforce to the Commission.

Following discussion, a **MOTION** was made by Commissioner Baldwin and **SECONDED** by Commissioner Erdman to approve the Village of Colon's Application to Administer and Enforce effective May 1, 2017. **MOTION CARRIED.**

v. Tuscola Township, Building, Electrical, Mechanical and Plumbing

Mr. Michael Setzer, Building Official, and Mr. Tod Fackler, Supervisor, presented Tuscola Township's Application to Administer and Enforce to the Commission. Mr. Setzer provided additional documentation at the meeting in response to the letter dated February 11, 2017.

Following discussion, a **MOTION** was made by Commissioner Baldwin and **SECONDED** by Commissioner Papineau to postpone consideration of Tuscola Township's Application to Administer and Enforce until the July 12,

2017 meeting to allow time for the Commission to review the additional documentation submitted. **MOTION CARRIED.**

vi. Village of Burlington, Building, Electrical, Mechanical and Plumbing

Mr. Glenn Lindsey, SAFEbuilt, presented the Village of Burlington's Application to Administer and Enforce to the Commission.

Following discussion, a **MOTION** was made by Commissioner Misiewicz and **SECONDED** by Commissioner Cripps to postpone consideration of the Village of Burlington's Application to Administer and Enforce until the July 12, 2017 meeting to allow time for the applicant to provide additional documentation. **MOTION CARRIED.**

8. NEW BUSINESS

A. Formal Interpretation Request

Mr. Lambert presented the Commission a formal interpretation request submitted on March 20, 2017 from Pete Wood, Rooter MD Plumbing & Heating.

Chairperson Benoit explained that Mr. Wood should direct his request to the local construction board of appeals and then can appeal the local construction board of appeals' decision to the Commission. The Bureau should be notified if a local municipality does not have a construction board of appeals as required by statute.

B. Review and Approval of Training Programs Discussion, MCL 339.6007

Mr. Lambert inquired if the Commission would like to be involved with review of content of training programs.

Following discussion, it was determined that the Commission will assist with the review when the Bureau expresses concern regarding a program.

9. BUREAU REPORT

Mr. Lambert provided information on the following:

- A. Barrier Free Design Complaint Process**
- B. Building & School Officials Letter**
- C. CE Broker Announcement**
- D. Mechanical Examination Notification**
- E. SAA Program/HUD**

10. PUBLIC COMMENT

- A. Mr. Lee Schwartz, Home Builders Association of Michigan, expressed concern that the City of Ann Arbor does not have a local construction board of appeals and requested the Bureau to investigate further.
- B. Ms. Wendy Jean-Buhrer, City of Grand Blanc, commented that she will submit additional documentation electronically for the City of Grand Blanc's Application to Administer and Enforce and will see the Commission in July.
- C. Commissioner Papineau requests for the Application to Administer and Enforce to be revised based on the concerns expressed earlier in the meeting and for a Bureau organizational chart.

11. 2017 MEETING DATES

The Commission is scheduled to meet at 9:30 a.m. at 611 W. Ottawa, Lansing, MI 48933 in Upper Level Conference Room 4 on July 12, 2017 and October 11, 2017.

12. ADJOURNMENT

A **MOTION** was made by Commissioner Erdman and **SECONDED** by Commissioner Cripps to adjourn the meeting at 12:26 p.m. **MOTION CARRIED.**